

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

KURT MUELLER,)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:15-CV-847 (LMB/TCB)
)	
U.S. PATENT AND TRADEMARK)	
OFFICE, ET AL.,)	
Defendants.)	
_____)	

MOTION TO DISMISS

Pursuant to Federal Rule of Civil Procedure 12(b)(1), Defendants, U.S. Patent and Trademark Office, Michelle Lee, Under Secretary of Commerce for Intellectual Property and Director of the USPTO, and Margaret Focarino, former Commissioner for Patents, by undersigned counsel, hereby respectfully move this Court to dismiss plaintiff's complaint for lack of subject matter jurisdiction. The grounds for this motion are fully explained in the simultaneously-filed memorandum of law in support of the motion.

Respectfully submitted,

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DATE: August 31, 2015

Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on August 31, 2015, I filed a copy of the foregoing with the Clerk's Office and will cause to be delivered, by first class mail, a copy of the foregoing to the following:

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Date: August 31, 2015

/s/
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